

A RESOLUTION

BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

01-12-0370

**A RESOLUTION AUTHORIZING THE SETTLEMENT
OF ALL CLAIMS RESULTING FROM THE CASE OF
DAVID MASON V. THE CITY OF ATLANTA, ET. AL.,
SUPERIOR COURT OF FULTON COUNTY,
CIVIL ACTION FILE NO. 2000-CV-17886, IN AN AMOUNT
NOT TO EXCEED \$1,000.00; AUTHORIZING THE
CHIEF FINANCIAL OFFICER TO DISBURSE THE
SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.**

WHEREAS, David Mason v. City of Atlanta, et. al., Civil Action File No. 2000-CV-17886, is a case in which the City of Atlanta is named as a Defendant;

WHEREAS, the Plaintiff alleges that he suffered financial losses for medical treatment as a passenger in a vehicle owned and operated by the City of Atlanta and/or its agents that was involved in a collision with another vehicle;

WHEREAS, the Plaintiff has agreed to accept \$1,000.00 in settlement of all claims against the City of Atlanta;

WHEREAS, the City Attorney has done a review of the facts and the law and has determined that the City's potential financial exposure in defending Plaintiff's claim is in excess of the settlement amount; and

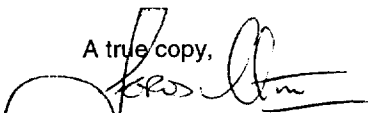
WHEREAS, the City Attorney considers it to be in the best interest of the City to resolve this matter and recommends that the City pay the amount of \$1,000.00 to settle all claims,

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1. The City Attorney is hereby authorized to settle the case of David Mason v. City of Atlanta, et. al. for an amount not to exceed One Thousand Dollars (\$1,000.00).

SECTION 2. The Chief Financial Officer is authorized to pay a total amount not to exceed \$1,000.00 to Plaintiff in this case from Account No. 1A01-529017-T31001.

A true copy,


Deputy Clerk

ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

March 5, 2001

March 14, 2001

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

DAVID MASON, and)
REYNITA MASON ALEXANDER,)
Individually,)
) CIVIL ACTION FILE
Plaintiffs,)
) NO. 2000-CV-17886
v.)
)
GREGORY A. WRAY, and the)
CITY OF ATLANTA,)
)
Defendants.)

GENERAL RELEASE AND INDEMNIFICATION

IN CONSIDERATION of the sum **ONE THOUSAND DOLLARS** (\$1,000.00), to be paid to **DAVID MASON** and **REYNITA MASON ALEXANDER** by the **CITY OF ATLANTA**, the receipt of which is hereby acknowledged, **DAVID MASON** and **REYNITA MASON ALEXANDER** do hereby, for themselves, their heirs, executors, administrators, and assigns, release and forever discharge said City, its officers and employees from any and all claims, demands, actions, causes of action, suits, damages, loss and expenses, of whatsoever kind or nature for or on account of anything that has heretofore occurred, and particularly for or on account of an automobile accident on or about the 7th day of January 1998, near the intersection of J.W. Dobbs street and Howell street, Atlanta, Georgia, which is the subject of a civil action entitled *David Mason et al. v. Gregory Wray and the City of Atlanta, Georgia*, pending in the Superior Court of Fulton County, Georgia, Civil Action File No. 2000-CV-17886.

It is further understood and agreed that the payment of the above named sum is not to be considered as an admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the undersigned further covenant and agree to indemnify and hold harmless the City of Atlanta, its officers, agents, servants and employees, from any and all claims, damages or costs (including but not limited to compensatory damages, special damages, punitive damages, and attorneys fees) which the said City of Atlanta, its officers, agents, servants and employees, could or have been called upon to make as a result of the event hereinbefore referred to.

And **DAVID MASON** and **REYNITA MASON ALEXANDER** now state that the only consideration for signing this release and indemnification is the payment of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with **DAVID MASON** and **REYNITA MASON ALEXANDER** by said City or its agents to cause the signing of this release, and each, by affixing a signature below, acknowledges a full understanding of the meaning and intent of this instrument. Finally, upon receipt of the foregoing consideration, **DAVID MASON** and **REYNITA MASON ALEXANDER** expressly agree to dismiss with prejudice the above entitled civil action.

WITNESS my hand and seal this _____ day of _____, 2001.

DAVID MASON


WITNESS my hand and seal this _____ day of _____, 2001.

REYNITA MASON ALEXANDER

The above release was read and explained to, and signed by the said David Mason and Reynita Mason Alexander in my presence on the date above written.

VICTOR R. PAGE, Esq.
Attorney for Plaintiffs

WITNES



RCS# 2689
3/05/01
6:36 PM

Atlanta City Council

Regular Session

CONSENT

Pages: 1 thru. 13

ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

NV McCarty	Y Dorsey	Y Moore	Y Thomas	ITEM (S) REMOVED FROM
Y Starnes	Y Woolard	NV Martin	Y Emmons	<u>CONSENT AGENDA</u>
Y Bond	Y Morris	B Maddox	Y Alexander	01-O-0240
Y Winslow	Y Muller	Y Boazman	NV Pitts	01-R-0307
				01-R-0346

CONSENT

**ITEMS ADOPTED ON CONSENT
AGENDA**

1. 01-O-0179
2. 01-O-0348
3. 00-O-1657
4. 01-O-0355
5. 01-O-0152
6. 01-R-0190
7. 01-R-0349
8. 01-R-0351
9. 01-R-0290
10. 01-R-0304
11. 01-R-0305
12. 01-R-0369
13. 01-R-0370
14. 01-R-0297
15. 01-R-0300
16. 01-R-0298
17. 01-R-0299
18. 01-R-0251
19. 01-R-0252
20. 01-R-0253
21. 01-R-0254
22. 01-R-0255
23. 01-R-0256
24. 01-R-0257
25. 01-R-0258
26. 01-R-0259
27. 01-R-0260
28. 01-R-0261
29. 01-R-0262
30. 01-R-0263
31. 01-R-0264
32. 01-R-0265
33. 01-R-0266
34. 01-R-0267
35. 01-R-0268
36. 01-R-0269
37. 01-R-0291
38. 01-R-0292

**ITEMS ADVERSED
ON CONSENT AGENDA**

39. 01-R-0270
 40. 01-R-0271
 41. 01-R-0272
 42. 01-R-0273
 43. 01-R-0274
 44. 01-R-0275
 45. 01-R-0276
 46. 01-R-0277
 47. 01-R-0278
 48. 01-R-0279
 49. 01-R-0280
 50. 01-R-0281
 51. 01-R-0282
 52. 01-R-0283
 53. 01-R-0284
 54. 01-R-0285
 55. 01-R-0286
 56. 01-R-0287
 57. 01-R-0288
 58. 01-R-0289
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A RESOLUTION

AUTHORIZING THE SETTLEMENT OF ALL CLAIMS RESULTING FROM THE CASE OF DAVID MASON V. THE CITY OF ATLANTA, ET. AL., SUPERIOR COURT OF FULTON COUNTY, CIVIL ACTION FILE NO. 2000-CV-17886, IN AN AMOUNT NOT TO EXCEED \$1,000.00; AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISBURSE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES

APPROVED BY:

ADOPTED BY
DEPUTY CITY CLERK
COUNCIL

- ☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☐ PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee

Date

Chair

Referred to

Committee
P.S. & LA

Date
2/27/01

Chair
C.T. Martin

Actions

Fav, Adv, Held (see rev. side)

Others

Members
M. J. Martin
D. J. Martin
C. T. Martin

Refer To

Committee

Date

Chair

Actions

Fav, Adv, Held (see rev. side)

Others

Members

Refer To

Committee

Date

Chair

Actions

Fav, Adv, Held (see rev. side)

Others

Members

Refer To

Committee

Date

Chair

Actions

Fav, Adv, Held (see rev. side)

Others

Members

Refer To

FINAL COUNCIL ACTION

☐ 2nd ☐ 1st & 2nd ☐ 3rd

Readings

☒ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

CERTIFIED
MAR 0 5 2001
ATLANTA CITY COUNCIL PRESIDENT
Randy A. Pate

CERTIFIED
MAR 0 5 2001
Randy A. Pate
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

MAR 1 4 2001

WITHOUT SIGNATURE
BY OPERATION OF LAW